

277-05

Pct

DT07 Rec'd PCT/PTO 1 6 FEB 2005

FORM PTO 1390 (REV 10-2003)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 04306/0201789-USO
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/506,649
INTERNATIONAL APPLICATION NO. PCT/BR03/00041	INTERNATIONAL FILING DATE 20 March 2003	PRIORITY DATE CLAIMED 22 March 2002	
TITLE OF INVENTION RECIPROCATING COMPRESSOR DRIVEN BY A LINEAR MOTOR			
APPLICANT(S) FOR DO/EO/US Dietmar E. Lilie			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<p>1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2))</p> <p>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input type="checkbox"/> has been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).</p> <p>a. <input type="checkbox"/> is attached hereto.</p> <p>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))</p> <p>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input type="checkbox"/> have been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p>d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</p>			
Items 11 to 20 below concern document(s) or information included:			
<p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: Certificate of Express Mailing</p>			

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <div style="text-align: center;">10/506,649</div>	INTERNATIONAL APPLICATION NO. <div style="text-align: center;">PCT/BR03/00041</div>	ATTORNEY'S DOCKET NUMBER <div style="text-align: center;">04306/0201789-US0</div>
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21. ☐ The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):

☐ Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO\$1080.00

☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO\$920.00

☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO\$770.00

☐ International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4)\$730.00

☐ International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4)\$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	12-20 =		x	\$	0.00
Independent claims	1-3 =		x	\$	0.00
MULTIPLE DEPENDENT CLAIM(s) (if applicable)				+	\$
TOTAL OF ABOVE CALCULATIONS =				\$	130.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
SUBTOTAL =				\$	130.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				\$	
TOTAL NATIONAL FEE =				\$	130.00
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$ 40.00
TOTAL FEES ENCLOSED =				\$	170.00
				Amount to be refunded:	\$
				charged:	\$

CALCULATIONS PTO USE ONLY

a. ☒ A check in the amount of \$ 170.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.

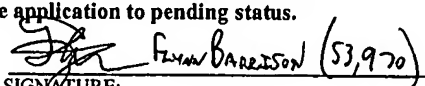
c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 04-0100. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Joseph R. Robinson
 DARBY & DARBY P.C.
 P.O. Box 5257
 New York, New York 10150-5257
 (212) 527-7783
 CUSTOMER NUMBER: 07278

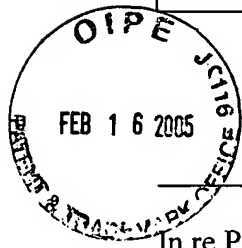

 SIGNATURE: _____
 Joseph R. Robinson
 NAME

 33,448
 REGISTRATION NUMBER

Express Mail Label No.

Dated: _____

Docket No.: 04306/0201789-US0
(PATENT)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Dietmar E. Lilie

Application No.: 10/506,649

Confirmation No.: 4787

Filed: September 2, 2004

Art Unit: N/A

For: RECIPROCATING COMPRESSOR DRIVEN
BY A LINEAR MOTOR

Examiner: Not Yet Assigned

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE

MS PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


Dear Sir:

In response to the Notification of Missing Requirements of Application –Date mailed January 24, 2005, enclosed is a copy of the Second/Subsequent Submission (Form PTO 1390) mailed October 13, 2004. Copies of Certificate of Express Mailing, Combined Declaration/Power of Attorney and acknowledged postcard all dated October 13, 2004 are also enclosed. Applicants respectfully request Acceptance of this application as of October 13, 2004.

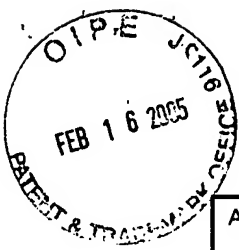
The Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee to Deposit Account No. 04-0100.

Dated: February 16, 2005

Respectfully submitted,

By  ^{fixed by bmarisa}
(53,970)
Louis J. DelJuidice

Registration No.: 47,522
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New York, New York 10150-5257
(212) 527-7700
(212) 527-7701 (Fax)
Attorneys/Agents For Applicant



Application No. (if known): 10/506,649

Attorney Docket No.: 04306/0201789-US0

Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. _____ in an envelope addressed to:

EJ 329023584 -us

MS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on February 16, 2005
Date

B.W. Lee

Signature

B.W. Lee

Typed or printed name of person signing Certificate

Registration Number, if applicable

Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Response to Notice to File Missing Parts of Application (2 pages)
Copy of Notification of Missing Requirements Under 35 U.S.C. 371
in the United States Elected/Designated Office (2pp)
Copy of Combined Declaration and Power of Attorney (4pp)
Copy of Transmittal Letter to the US Designated/Elected Office (2pp)
Copy of Certificate of Express Mailing dated 10/13/04
Copy of Acknowledged Return receipt postcard
Return receipt postcard

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.

10/506,649

FIRST NAMED APPLICANT

Dietmar E Lilie

ATTY. DOCKET NO.

04306/0201789-US0

INTERNATIONAL APPLICATION NO.

PCT/BR03/00041

I.A. FILING DATE

03/20/2003

PRIORITY DATE

03/22/2002

7278

DARBY & DARBY P.C.
P. O. BOX 5257

NEW YORK, NY 10150-5257

DUE: March 24, 2005Docketed on 2/8 by OL forDocketed without file ☐

Attorney _____

CONFIRMATION NO. 4787

371 FORMALITIES LETTER



OC000000015011791

Date Mailed: 01/24/2005

8-24-05
 NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/02/2004
- Copy of the International Search Report filed on 09/02/2004
- Copy of IPE Report filed on 09/02/2004
- Preliminary Amendments filed on 09/02/2004
- Information Disclosure Statements filed on 09/02/2004
- Request for Immediate Examination filed on 09/02/2004
- U.S. Basic National Fees filed on 09/02/2004
- Priority Documents filed on 09/02/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice **MUST** be returned with the response.

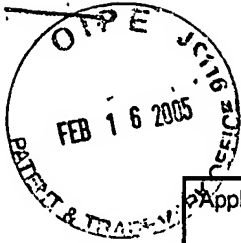
LAMONT M HUNTER

Telephone: (703) 305-3686

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/506,649	PCT/BR03/00041	04306/0201789-US0

FORM PCT/DO/EO/905 (371 Formalities Notice)



Application No. (if known): 10/506,649

Attorney Docket No.: 04306/0201789-US0

Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. _____ in an envelope addressed to:

MS PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

EV 367699392-US

on October 13, 2004
Date

B.W. Lee

Signature

B.W. LEE

Typed or printed name of person signing Certificate

Registration Number, if applicable _____

Telephone Number _____

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Transmittal Letter to the United States Designated-Elected Office (2 pages);
Combined Declaration/Power of Attorney (4pp);
Assignment (2pp)
Recordation Form Cover Sheet (1 page); and
Check in the amount of \$170.00; ck # 6413
Return receipt postcard.